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11/22/2010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Attorney Docket No. 2009\_1195  
Wei-Ping CHEN et al. : **Confirmation No. 4772**  
Serial No. 10/586,204 : Group Art Unit 1626  
Filed September 29, 2006 : Examiner Joseph R. Kosack  
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**RESPONSE TO (PREMATURE) FINAL REJECTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action of July 22, 2010, Applicants submit the following remarks in support of the patentability of the presently claimed invention over the disclosures of the references relied upon by the Examiner in rejecting the claims. Further and favorable reconsideration is respectfully requested in view of these remarks.

Initially, Applicants take the position that the current final rejection is premature and should be withdrawn, for the reasons set forth in the separate paper submitted concurrently herewith entitled "Request to Withdraw Finality of Rejection".

The rejection of claims 38-44 under 35 U.S.C. § 103(a) as being unpatentable over Hayashi et al. in view of Nettekoven et al. and Berlin et al. is respectfully traversed.

The Examiner maintains his arguments presented in the Office Actions dated May 29, 2009 and January 4, 2010, explaining why he considers the instant claims are obvious in view of the cited prior art.

However, Applicants submit that the asserted combination of the papers of Hayashi et al., Nettekoven et al., and Berlin et al. fails to teach or suggest each and every claim feature, as required by MPEP 2143.03.